

### **REMARKS**

Claims 9, 11-15, and 47-57 are pending in the application. Claims 1-8, 10, and 16-46 have been cancelled without prejudice. Applicants reserve the right to pursue claims to the cancelled subject matter in continuation applications. Claim 9 has been amended in response to the Examiner's suggestion.

The Examiner rejected claims 9, 11-18, and 47-57 under 35 USC 112. Claim 9 has been amended to recite the structure of a fumonisin analog as in original claim 39. Claim 9 has been further amended to clearly indicate to whom the fumonisin analog is being administered ("the subject") and to indicate that the subject is "suffering from" the stated disorder, namely a neoplastic condition or toxicity associated with an alteration in sphingolipid metabolism, as requested by the Examiner. Dependent claims 16-18, which are drawn to fumonisin B1, B2, and AAL toxin, are cancelled. The cancellation of these claims is solely to promote prosecution of the pending application and should not be taken as an admission that these compounds are not intended to fall under the term "fumonisin analog". For example, Applicants point to page 9, line 27 to page 10, line 25 of the specification, in which the term "fumonisin analog" is defined to include "any compound that has structural similarity to fumonisin B1, B2, B3, or B4" (page 9, lines 29-30) and indicates that AAL toxins are "explicitly included" in the definition (page 10, lines 20-21).

The foregoing is submitted as a full and complete response to the Official Action mailed July 29, 2003. It is believed that this response places the application in condition for allowance. If there are any issues that can be resolved with an Examiner's Amendment or a telephone

conference, a telephone call to the undersigned attorney at 404-572-3541 is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sherry Knowles".

Sherry M. Knowles, Esq.

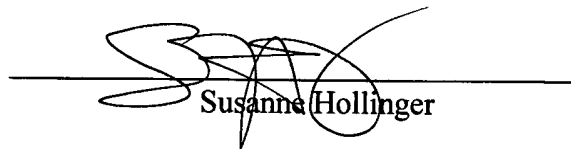
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K&S Docket: 18085.105300

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this Amendment and Response to Office Action, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Susanne Hollinger

Date: September 29, 2003